

Mayor Lioneld Jordan
City Attorney Kit Williams
City Clerk Sondra Smith



Aldermen

Ward 1 Position 1 – Adella Gray
Ward 1 Position 2 – Brenda Boudreaux
Ward 2 Position 1 – Mark Kinion
Ward 2 Position 2 – Matthew Petty
Ward 3 Position 1 – Justin Tennant
Ward 3 Position 2 – Robert Ferrell
Ward 4 Position 1 – Rhonda Adams
Ward 4 Position 2 – Sarah E. Lewis

**Final Agenda
City of Fayetteville Arkansas
City Council Meeting
November 08, 2012**

This meeting date was changed from November 06, 2012 to November 08, 2012 due to the General election.

A meeting of the Fayetteville City Council will be held on November 08, 2012 at 6:00 PM in Room 219 of the City Administration Building located at 113 West Mountain Street, Fayetteville, Arkansas.

Call to Order

Roll Call

Pledge of Allegiance

Mayor's Announcements, Proclamations and Recognitions:

City Council Meeting Presentations, Reports and Discussion Items:

1. Town and Gown Advisory Committee Appointment

Agenda Additions:

A. Consent:

1. Approval of the October 16, 2012 City Council meeting minutes.

2. **Amend Resolution No. 81-09, Animal Services Advisory Board:** A resolution amending Resolution No. 81-09 to reduce the total number of members of the Animal Services Advisory Board and re-designating certain membership composition of the board.
3. **Animal Services Donation Revenue:** A resolution approving a budget adjustment in the amount of \$10,732.00 representing donation revenue to Animal Services for the third quarter of 2012.
4. **Fourth Judicial District Drug Task Force Training:** A resolution approving a budget adjustment in the amount of \$2,000.00 representing donation revenue from the Washington County Prosecutor's Office Drug Control Fund to the Fayetteville Police Department in support of training of the Fourth Judicial District Drug Task Force's Domestic Highway Enforcement Unit.
5. **2012 Bulletproof Partnership Grant Award:** A resolution authorizing acceptance of a fifty percent (50%) matching grant award from the 2012 Bulletproof Vest Partnership Program in the amount of \$9,100.00 for the replacement of twelve (12) body armor vests for Fayetteville police officers, and approving a budget adjustment.
6. **Washington County Jail Services Interlocal Agreement:** A resolution approving an amendment to the jail services Interlocal agreement with Washington County, Arkansas, continuing fees at \$60.00 per booked prisoner for calendar year 2013.
7. **Fayetteville Police Department Policies:** A resolution approving Fayetteville Police Department Policies 1.3.1 Use of Force; 84.1.1 Property Management, Acquired & In-Custody; 42.1.1 Criminal Investigations; 83.1 Collection and Preservation of Evidence; 44.1.1 Juvenile Operations; 41.2.11 Use of Department Vehicles; 1.2.2 Warrantless Detention, Search & Seizure; and 42.1.1 Vice, Drugs and Organized Crime.
8. **Margot Khavinson Estate Settlement Agreement:** A resolution approving a settlement agreement with the Margot Khavinson Estate, concerning condemnation litigation filed as part of the N. Garland Avenue Widening and Improvement Project in the total amount of \$18,000.00.
9. **Bid #12-72 Pick-It Construction:** A resolution awarding Bid #12-72 and authorizing a contract with Pick-It Construction, Inc. in the total amount of \$343,900.00 for the construction of improvements to an aircraft hangar at Drake Field contingent upon a grant award, amending Resolution No. 95-12 to correct a transposition error regarding Task Order No. 9 to the contract with McClelland Consulting Engineers related to this project, approving application for and acceptance of an 80/20 matching grant from the Arkansas Department of Aeronautics to provide funding for this project and approving a budget adjustment authorizing airport fund matching expense and recognizing grant revenue, contingent upon approval of the grant application and receipt of grant funds.

10. Drake Field Fuel Sales: A resolution approving a budget adjustment in the amount of \$27,000.00 to recognize revenue and associated expense associated with fuel sales at Drake Field.

11. Thrash Development: A resolution approving a budget adjustment in the amount of \$15,000.00 recognizing revenue from Thrash Development for its contribution toward improvements to the East Avenue and Meadow Street sidewalks.

B. Unfinished Business:

1. RZN 12-4166 (South of Brookbury Crossing & East of Candlewood Developments/ Riggins): An ordinance rezoning that property described in rezoning petition RZN 12-4166, for approximately 20.99 acres, located to the south of Skillern Road from R-A, Residential Agricultural to RSF-0.5, One Half Single-Family Units Per Acre. *This ordinance was left on the First Reading at the August 21, 2012 City Council meeting and Tabled to the September 18, 2012 City Council meeting. This ordinance was left on the First Reading at the September 18, 2012 City Council meeting and Tabled to the October 16, 2012 City Council meeting. This ordinance was left on the Second Reading at the October 16, 2012 City Council meeting*

Left on the Second Reading

C. Public Hearing:

1. Dynasty Taxi: A resolution granting a Certificate of Public Convenience and Necessity to Dynasty Taxi Service, Inc. for the operation of a total of fifteen (15) to thirty (30) taxicabs in the City of Fayetteville. *This resolution was Tabled at the October 16, 2012 City Council meeting to the November 8, 2012 City Council meeting.*

D. New Business:

- 1. Tree Preservation and Protection Variance:** A resolution to approve a variance from the Tree Preservation and Protection Chapter of the UDC for LSD 12-4215 to allow off-site tree preservation, on and off-site mitigation tree planting and eliminating any further penalty for the removal of some canopy in 2008.
- 2. ADM 12-4254 (R-PZD 12-4079 Project Cleveland):** An ordinance amending a Residential Planned Zoning District entitled R-PZD 12-4079, Project Cleveland, located at the Northwest corner of Razorback Road and Hall Avenue, containing approximately 2.71 acres, extending the time frame to obtain all necessary permits to begin construction by December 19, 2014.

E. City Council Agenda Session Presentations:

1. Economic Development Quarterly Report Presentation by Chung Tan and Steve Clark

F. City Council Tour:

G. Announcements:

Adjournment:

NOTICE TO MEMBERS OF THE AUDIENCE

All interested persons may address the City Council on agenda items of New and Old Business. Please wait for the Mayor to request public comment and then come to the podium, give your name, address, and comments about the agenda item. Please address only the Mayor. Questions are usually answered by the Mayor, Aldermen or Staff after the public comment period is over. Please keep your comments brief and respectful. Each person is only allowed one turn at the microphone for discussion of an agenda item.

All cell phones must be silenced and may not be used within the City Council Chambers.

Below is a portion of the **Rules of Order and Procedure of the Fayetteville City Council** pertaining to City Council meetings:

Agenda additions. A new item which is requested to be added to the agenda at a City Council meeting should only be considered if it requires immediate City Council consideration and if the normal agenda setting process is not practical. The City Council may only place such new item on the City Council meeting's agenda by suspending the rules by two-thirds vote. Such agenda addition shall be heard prior to the Consent Agenda.

Consent Agenda. Consent Agenda items shall be read by the Mayor and voted upon as a group without discussion by the City Council. If an Alderman wishes to comment upon or discuss a Consent Agenda item, that item shall be removed and considered immediately after the Consent Agenda has been voted upon.

Old business and new business.

Presentations by staff and applicants. Agenda items shall be introduced by the Mayor and, if an ordinance, read by the City Attorney. City staff shall then present a report. An agenda applicant (city contractor, rezoning or development applicant, etc.) may present its proposal only during this presentation period, but may be recalled by an alderman later to answer questions. Staff and applicants may use electronic visual aides in a City Council meeting as part of their presentation.

Public comments. Public comment shall be allowed for all members of the audience on all items of old and new business and subjects of public hearings. No electronic visual aid presentations shall be allowed, but the public may submit photos, petitions, etc. to be distributed to the City Council. If a member of the public wishes for the City Clerk to distribute materials to the City Council before its meeting, such materials should be supplied to the City Clerk office no later than 9:00 a.m. on the day of the City Council meeting. Any member of the public shall first state his or her name and address, followed by a concise statement of the person's position on the question under discussion. Repetitive comments should be avoided; this applies to comments made previously either to the City Council or to the Planning Commission when those Planning Commission minutes have been provided to the Aldermen. All remarks shall be addressed to the Mayor or the City Council as a whole and not to any particular member of the City Council. No person other than the Aldermen and the person having the floor shall be permitted to enter into any discussions without permission of the Mayor. No questions shall be directed to an Alderman or city staff member except through the Mayor.

Courtesy and respect. All members of the public, all city staff and elected officials shall accord the utmost courtesy and respect to each other at all times. All shall refrain from rude or derogatory remarks, reflections as to integrity, abusive comments and statements about motives or personalities. Any member of the public who violates these standards shall be ruled out of order by the Mayor, must immediately cease speaking and shall leave the podium.

Interpreters or TDD for hearing impaired are available for all City Council meetings, a 72 hour advance notice is required. For further information or to request an interpreter, please call 575-8330.

A copy of the complete City Council agenda is available at accessfayetteville.org or in the office of the City Clerk, 113 W. Mountain, Fayetteville, Arkansas.